



Atty. Dkt. No. 072121-0375

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: David CHIEN et al.  
Title: A BIOLOGICAL SAMPLE STORAGE DEVICE AND METHOD FOR  
BIOLOGICAL SAMPLE CONTAMINATION TESTING  
Appl. No.: 10/733,766  
Filing Date: 12/12/2003  
Examiner: Steven C. Pohnert  
Art Unit: 1634  
Confirmation Number: 9349

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed June 7, 2006, *Applicants hereby elect Group I (claims 1-19) for examination.*

The Examiner has required restriction between Group 1 (claims 1-19), drawn to a biological sample storage and testing device; Group II (claims 20-25), drawn to methods of detecting nucleotides requiring lysis; and Group III (claims 26-31), drawn to method of detecting proteins not requiring lysis. Once the product claims of Group I are found to be allowable, Applicants request rejoinder of the process claims of Groups II and III, which recite all the elements of claim 1 in Group I.

Applicants believe that no fees are due with this response. If that is not the case, the Commissioner is hereby authorized to charge any fees that may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account

No. 19-0741. Additionally, if any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 7/5/06

FOLEY & LARDNER LLP  
Customer Number: 27476  
Telephone: (202) 672-5483  
Facsimile: (202) 672-5399

By *Richard C. Peet* #55,638  
for  
Richard C. Peet  
Attorney for Applicants  
Registration No. 35,792